

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**PETER PRINGLE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:07cv668-DPJ-JCS**

**WAFFLE HOUSE, INC.**

**DEFENDANTS**

**ORDER**

Currently pending before the Court is Defendant Waffle House, Inc.'s Motion to Dismiss and to Compel Arbitration. Defendant's motion appears to have been docketed on December 19 and 20, 2007 at docket numbers [7] and [9] in the record. Although the time to respond has long passed, Plaintiff has neither responded to Defendant's motion nor requested additional time in which to respond. As such, the Court finds that Defendant's motion is due to be granted as unopposed under Local Rule 7.2(C)(2) and because it appears otherwise meritorious. *See generally Circuit City Stores, Inc. v. Adams*, 532 U.S. 105, 123 (2001).

ACCORDINGLY, IT IS HEREBY ORDERED that the Defendants' Motion to Dismiss and Compel Arbitration is granted. This case is dismissed without prejudice.

**SO ORDERED AND ADJUDGED** this the 5<sup>th</sup> day of February, 2008.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE